

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
IN CLERK'S OFFICE

2005 MAR -8 AM 11:03

**DANA-FARBER CANCER INSTITUTE,
INC. a/k/a THE JIMMY FUND**

Plaintiff,

v.

BOC GROUP, INC. d/b/a BOC GASES

Defendant/Third-Party Plaintiff,

v.

**TAYLOR-WHARTON, HARSCO
CORPORATION, GAS & FLUID
CONTROL GROUP and PACER
DIGITAL SYSTEMS INC.**

Third-Party Defendants.

Case No. 1:04-CV-12612-RWZ

U.S. DISTRICT COURT
DISTRICT OF MASS.

62564
3080
3/8/05 JR

MOTION FOR ADMISSION PRO HAC VICE

Pursuant to Local Rule 83.5.3(b), the Plaintiff, Dana-Farber Cancer Institute, Inc. a/k/a The Jimmy Fund, by its counsel, Patrick J. Loftus, III, Esquire of the Law Offices of Patrick J. Loftus, III, hereby moves this Court for an order permitting Hayes A. Hunt of the firm of Cozen O'Connor, 1900 Market Street, Philadelphia, PA 19103, to practice before this Court, Pro Hac Vice, on behalf of the Plaintiff, and in support of this motion, states as follows:

1. Hayes A. Hunt of the firm of Cozen O'Connor, 1900 Market Street, Philadelphia, PA 19103 (telephone 215-665-2000) is counsel to the Plaintiff in this action and desires the permission of the Court to practice before it.

2. Mr. Hunt is a member in good standing of the Bars in Pennsylvania and the United States District Courts for the Eastern and Middle Districts of Pennsylvania, as more

fully set forth in his attached Affidavit marked as Exhibit A.

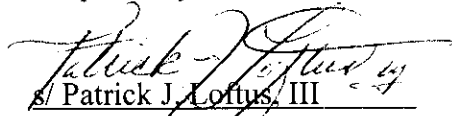
3. There have never been, nor are there now pending, any disciplinary matters against Mr. Hunt in any jurisdiction where he has been admitted to practice.

4. Mr. Hunt is familiar with the Local Rules of the United States District Court for the District of Massachusetts.

5. Mr. Loftus is a member in good standing of this Court and will be associated with Mr. Hunt in this action.

WHEREFORE, the undersigned respectfully requests that Hayes A. Hunt be granted leave to appear and practice before this Court on behalf of the Plaintiff in this action as co-counsel for the Plaintiff, *Pro Hac Vice*.

Respectfully Submitted,



s/ Patrick J. Loftus, III

Patrick J. Loftus, III

BBO: 303310

Law Offices of Patrick J. Loftus, III

9 Park Street, Suite 500

Boston, MA 02108

617-723-7770

Dated: March 7, 2005

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**DANA-FARBER CANCER INSTITUTE,
INC. a/k/a THE JIMMY FUND**

Plaintiff,

v.

BOC GROUP, INC. d/b/a BOC GASES

Defendant/Third-Party Plaintiff,

v.

**TAYLOR-WHARTON, HARSCO
CORPORATION, GAS & FLUID
CONTROL GROUP and PACER
DIGITAL SYSTEMS INC.**

Third-Party Defendants.

Case No. 1:04-CV-12612-RCL

ORDER


Upon consideration of the Motion for Admission Pro Hac Vice of Hayes A. Hunt of the law firm of Cozen O'Connor, **IT IS HEREBY ORDERED** that the Motion is granted and that Hayes A. Hunt is admitted *pro hac vice* as co-counsel for Plaintiff in the above-captioned cause.

Dated: _____

Judge

CERTIFICATE OF SERVICE

I hereby certify that on March _____, 2005, the foregoing Plaintiff's Motion for Admission *Pro Hac Vice* was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.


s/ Patrick J. Loftus, III

Patrick J. Loftus, III

BBO: 303310

Law Offices of Patrick J. Loftus, III

9 Park Street, Suite 500

Boston, MA 02108

617-723-7770

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
CLERK'S OFFICE
2005 MAR -8 A 11:03

U.S. DISTRICT COURT
DISTRICT OF MASS.

**DANA-FARBER CANCER INSTITUTE,
INC. a/k/a THE JIMMY FUND**

Plaintiff,

v.

BOC GROUP, INC. d/b/a BOC GASES

Defendant/Third-Party Plaintiff,

v.

**TAYLOR-WHARTON, HARSCO
CORPORATION, GAS & FLUID
CONTROL GROUP and PACER
DIGITAL SYSTEMS INC.**

Third-Party Defendants.

Case No. 1:04-CV-12612-RCL

AFFIDAVIT OF HAYES A. HUNT

I, Hayes A. Hunt, being duly sworn upon oath, depose and say:

1. I am one of the attorneys representing the Plaintiff Dana-Farber Cancer Institute, Inc. a/k/a The Jimmy Fund and submit this Affidavit in support of the Motion for Admission Pro Hac Vice.

2. I am a member of the law firm of Cozen O' Connor, 1900 Market Street, Philadelphia, Pennsylvania.

3. I am currently admitted to the Bars of the Commonwealth of Pennsylvania and the United States District Courts for the Eastern and Middle Districts of Pennsylvania.

4. I am in good standing in each of the aforementioned courts and there are no disciplinary actions pending against me.

5. I am familiar with the with the Local Rules of the United States District Court for the District of Massachusetts.

Signed under the penalties of perjury this 28th day of February 2005.

Hayes A. Hunt

[illegible]

Subscribed and sworn to before me, a Notary Public in and for said County and state, this 28th day of February 2005

Notary Public
My Commission Expires.

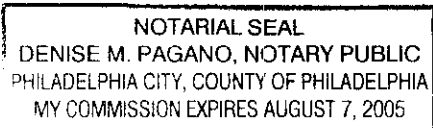


EXHIBIT “A”



Supreme Court of Pennsylvania

CERTIFICATE OF GOOD STANDING

Hayes Andrew Hunt, Esq.

DATE OF ADMISSION

December 18, 1997

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal

Dated: February 10, 2005


Patricia A. Johnson
Chief Clerk

FILED
CLERK'S OFFICE

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

2005 MAR -8 A 11:03

DANA-FARBER CANCER INSTITUTE,
INC. a/k/a THE JIMMY FUND

Plaintiff,

v.

BOC GROUP, INC. d/b/a BOC GASES

Defendant/Third-Party Plaintiff,

v.

TAYLOR-WHARTON, HARSCO
CORPORATION, GAS & FLUID
CONTROL GROUP and PACER
DIGITAL SYSTEMS INC.

Third-Party Defendants.

Case No. 1:04-CV-12612-RWZ
DISTRICT COURT
DISTRICT OF MASS.

AFFIDAVIT OF PATRICK J. LOFTUS, III

Patrick J. Loftus, III, Jr., Esquire, being duly sworn, deposes and says as follows:

1. I am an attorney duly licensed to practice law in the State of Massachusetts, and an attorney for the Plaintiff, Dana Farber Cancer Institute a/k/a The Jimmy Fund, in the above-entitled action.
2. I am fully familiar with the facts and circumstances as hereinafter set forth, and make this Affidavit in support of the Plaintiff's motion to have Hayes A. Hunt, Esquire admitted of counsel, *Pro Hac Vice*, with respect to the above-entitled action.
3. The affiant has been acting as local counsel with respect to this matter, and respectfully requests that the Court allow Hayes A. Hunt, Esquire to be admitted *Pro Hac Vice* for purposes of serving as counsel for Plaintiff,

4. The affiant has known Mr. Hunt, Esquire to be an excellent attorney who has a great deal of experience with respect to the issues being presented in the present lawsuit and is a member in good standing of the Bar of the Commonwealth of Pennsylvania.
Pennsylvania is a state which allows similar admission privileges to attorneys in good standing in Massachusetts.
5. The affiant respectfully submits to the Court that Mr. Hunt is not only an excellent attorney, but is a person of unimpeachable character who would do justice to both his client and the Bar. The Court is respectfully referred to the attached Affidavit regarding Mr. Hunt's qualifications with the respect to the subject claims.
6. The affiant respectfully requests that Hayes A. Hunt, Esquire be admitted *Pro Hac Vice* in the above-entitled action to serve as counsel with respect to the subject claims.

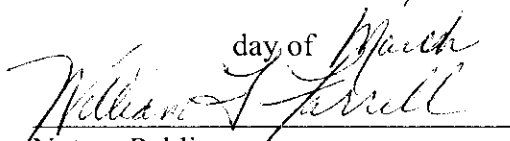
WHEREFORE, Patrick J. Loftus, III, Esquire respectfully requests that the Court grant an Order allowing the admission, *Pro Hac Vice*, of Hayes A. Hunt, Esquire to the United States District Court for the District of Massachusetts and to practice with respect to the above-captioned action, together with such other and further relief as the Court may deem just and proper.

BY: 

PATRICK J. LOFTUS, III ESQUIRE
BBO# 303310
9 Park Street, Suite 500
Boston, MA 02108
(617) 723-7770
ATTORNEY FOR PLAINTIFF

Sworn to before me on this 4th

day of March, 2005.


Notary Public

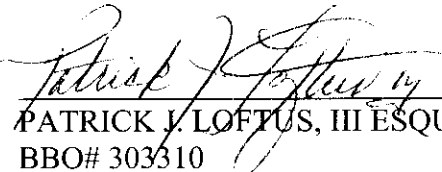
2/14/05

CERTIFICATE OF SERVICE

I, PATRICK J. LOFTUS, III, hereby certify that a copy of the foregoing Plaintiff's MOTION FOR ADMISSION OF COUNSEL PRO HAC VICE has been served upon counsel this day of , 2005 by First Class Mail, postage pre-paid as follows:

Attorneys for Defendant

BY:


PATRICK J. LOFTUS, III ESQUIRE
BBO# 303310
9 Park Street, Suite 500
Boston, MA 02108
(617) 723-7770
ATTORNEY FOR PLAINTIFF

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DANA-FARBER CANCER INSTITUTE,
INC. a/k/a THE JIMMY FUND

Plaintiff,

v.

BOC GROUP, INC. d/b/a BOC GASES

Defendant/Third-Party Plaintiff,

v.

TAYLOR-WHARTON, HARSCO
CORPORATION, GAS & FLUID
CONTROL GROUP and PACER
DIGITAL SYSTEMS INC.

Third-Party Defendants.

Case No. 1:04-CV-12612-RCL

ORDER

Upon consideration of the Motion for Admission Pro Hac Vice of Hayes A. Hunt of the law firm of Cozen O'Connor, **IT IS HEREBY ORDERED** that the Motion is granted and that Hayes A. Hunt is admitted *pro hac vice* as co-counsel for Plaintiff in the above-captioned cause.

Dated: _____

Judge

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

DANA-FARBER CANCER INSTITUTE, INC. a/k/a THE JIMMY FUND)	Case No. 1:04-CV-12612-RWZ
)	
Plaintiff,)	
)	
v.)	
)	
BOC GROUP, INC. d/b/a BOC GASES)	
)	
Defendant/Third-Party Plaintiff,)	
)	
v.)	
)	
TAYLOR-WHARTON, HARSCO CORPORATION, GAS & FLUID CONTROL GROUP and PACER DIGITAL SYSTEMS INC.)	
)	
Third-Party Defendants.)	

AFFIDAVIT OF PATRICK J. LOFTUS, III

Patrick J. Loftus, III, Jr., Esquire, being duly sworn, deposes and says as follows:

1. I am an attorney duly licensed to practice law in the State of Massachusetts, and an attorney for the Plaintiff, Dana Farber Cancer Institute a/k/a The Jimmy Fund, in the above-entitled action.

2. I am fully familiar with the facts and circumstances as hereinafter set forth, and make this Affidavit in support of the Plaintiff's motion to have Peter G. Rossi, Esquire admitted of counsel, *Pro Hac Vice*, with respect to the above-entitled action.

3. The affiant has been acting as local counsel with respect to this matter, and respectfully requests that the Court allow Peter G. Rossi, Esquire to be admitted *Pro Hac Vice* for purposes of serving as counsel for Plaintiff, .

4. The affiant has known Mr. Rossi, Esquire to be an excellent attorney who has a great deal of experience with respect to the issues being presented in the present lawsuit and is a member in good standing of the Bar of the Commonwealth of Pennsylvania.

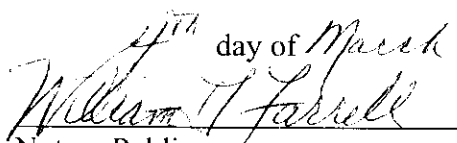
Pennsylvania is a state which allows similar admission privileges to attorneys in good standing in Massachusetts.
5. The affiant respectfully submits to the Court that Mr. Rossi is not only an excellent attorney, but is a person of unimpeachable character who would do justice to both his client and the Bar. The Court is respectfully referred to the attached Affidavit regarding Mr. Rossi's qualifications with the respect to the subject claims.
6. The affiant respectfully requests that Peter G. Rossi, Esquire be admitted *Pro Hac Vice* in the above-entitled action to serve as counsel with respect to the subject claims.

WHEREFORE, Patrick J. Loftus, III, Esquire respectfully requests that the Court grant an Order allowing the admission, *Pro Hac Vice*, of Peter G. Rossi, Esquire to the United States District Court for the District of Massachusetts and to practice with respect to the above-captioned action, together with such other and further relief as the Court may deem just and proper.

BY: 

PATRICK J. LOFTUS, III ESQUIRE
BBO# 303310
9 Park Street, Suite 500
Boston, MA 02108
(617) 723-7770
ATTORNEY FOR PLAINTIFF

Sworn to before me on this

 7th day of March, 2005.
Notary Public

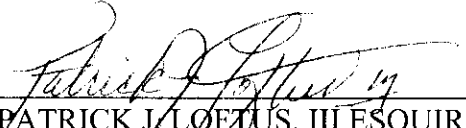
 3/4/2005

CERTIFICATE OF SERVICE

I, PATRICK J. LOFTUS, III, hereby certify that a copy of the foregoing Plaintiff's MOTION FOR ADMISSION OF COUNSEL PRO HAC VICE has been served upon counsel this day of , 2005 by First Class Mail, postage pre-paid as follows:

Attorneys for Defendant

BY:


PATRICK J. LOFTUS, III ESQUIRE
BBO# 303310
9 Park Street, Suite 500
Boston, MA 02108
(617) 723-7770
ATTORNEY FOR PLAINTIFF

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**DANA-FARBER CANCER INSTITUTE,
INC. a/k/a THE JIMMY FUND**

Plaintiff,

v.

BOC GROUP, INC. d/b/a BOC GASES

Defendant/Third-Party Plaintiff,

v.

**TAYLOR-WHARTON, HARSCO
CORPORATION, GAS & FLUID
CONTROL GROUP and PACER
DIGITAL SYSTEMS INC.**

Third-Party Defendants.

Case No. 1:04-CV-12612-RCL

ORDER

Upon consideration of the Motion for Admission Pro Hac Vice of Peter G. Rossi of the law firm of Cozen O'Connor, **IT IS HEREBY ORDERED** that the Motion is granted and that Peter G. Rossi is admitted pro hac vice as co-counsel for Plaintiff in the above-captioned cause.

Dated: _____

Judge